

Chapter 6.11**MAINTENANCE AND REHABILITATION OF VACANT AND NEGLECTED BUILDINGS****Sections:**

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Section 6.11.010 Findings.

The City Council finds as follows:

A. Vacant buildings are a major cause and source of blight in both residential and non-residential neighborhoods, especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not adversely affect the neighborhood.

B. Vacant buildings attract vagrants, gang members and other criminals and are prime locations to conduct illegal criminal activities.

C. Vacant buildings are extremely vulnerable to being set on fire by transients or others using the property illegally.

D. Vacant buildings pose serious threats to the public's health and safety and therefore are declared to be public nuisances.

E. It is the responsibility of property owners to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety or welfare.

F. Vacant buildings (whether or not those buildings are boarded, substandard or unkempt buildings) discourage economic development and hamper appreciation of property values. (Ord. 6969 § 1, 2007)

Section 6.11.020 Definitions.

For purposes of this title, the term "vacant building" means any structure or building that is unoccupied or occupied by unauthorized persons whether or not it is unsecured or boarded. (Ord. 6969 § 1, 2007)

Section 6.11.030 Classification of Nuisances.

The following acts and conditions, when performed or existing upon any lot or parcel within the City, are declared to be unlawful and are defined as and declared to be public nuisances per se that are injurious to the public health, safety, and welfare:

A. Buildings or structures that are under construction or rehabilitation and are not completed during the term of a valid building permit or building permit extension issued by the Community Development Director, the Building Official, or their designees.

B. Unoccupied buildings or structures that have been left unlocked or otherwise open or unsecured from intrusion by persons, animals or the elements.

C. Buildings or structures for human use or occupancy that have been left vacant for more than one hundred and eighty (180) days, unless one of the following applies:

1. The building or structure is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.

2. The building or structure complies with all codes adopted by the City of Riverside, does not otherwise constitute a public nuisance, is ready for use or occupancy and is actively being offered for sale, lease or rent.

3. The building or structure, including the premises on which it is located, does not otherwise constitute a public nuisance and is not likely to become a public nuisance because it is being actively maintained and monitored. Actively maintained and monitored means the owner is doing the following:

(a) Maintaining landscaping and plant materials that comply with the Riverside Municipal Code Chapter 6.14, Section 6.14.020. in good condition.

(b) Maintaining the exterior of the building or structure, including, but not limited to, its paint and finishes, windows and doors, fences and walls, porches and patios.

(c) Maintaining the interior of the building or structure free from litter, junk, trash, and debris.

(d) Maintaining the exterior free of trash, debris and graffiti;

(e) Maintaining of the building or structure in continuous compliance with all applicable codes and regulations, including Health and Safety Code section 17920.3.

(f) Preventing criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity. (Ord. 6969 § 1, 2007)

Section 6.11.040 Owner Responsibilities.

A. Every owner, lessee, occupant, or person having charge or control of buildings, structures, or property within the City is required to maintain the building, structure or property in accord with this chapter.

B. Every owner, occupant or person having charge or control of a building, structure, or property is liable for violations of Chapter 6.11 regardless of any contract or agreement with any third party.

C. The owner of any vacant building, whether boarded by voluntary action of the owner or as a result of enforcement activity by the City, shall rehabilitate the boarded building for occupancy, in accord with all applicable codes and regulations, within one hundred and eighty (180) days after the building is boarded, except as provided in Section 6.11.030C. (Ord. 6969 § 1, 2007)

Section 6.11.050 Administrative civil penalties.

A. Any owner of a vacant building in violation of this chapter is subject to administrative civil penalties pursuant to procedures set forth in Chapter 1.17 of this Code. (Ord. 6969 § 1, 2007)

Section 6.11.060 Continuous Public Nuisance.

Notwithstanding the assessment of administrative civil penalties or any other code enforcement remedy, any building which remains vacant for more than one hundred and eighty (180) days is hereby declared to be a permanent public nuisance per se.

Except as provided in Section 6.11.030C, if such building remains vacant for more than one hundred and eighty (180) days, constituting a nuisance as defined in this chapter, the Community Development Director, or his or her designees, shall declare the building to be a permanent public nuisance and seek abatement of such continuous public nuisance pursuant to the procedures set forth in Chapter 6.15 and in compliance with all other applicable provisions of the Riverside Municipal Code. (Ord. 6969 § 1, 2007)

Section 6.11.070 Remedies

The provisions of this chapter are nonexclusive and supplementary to existing rights and remedies, and the provisions of this chapter may be enforced by any remedies provided for in this code or otherwise available by law. (Ord. 6969 § 1, 2007)